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12 Attorneys for Interested Party Teri Pham

13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 *****

16 DENNIS MONTGOMERY, et al.,

CASE NO.: 3:06-cv-0056-PMP-VPC

17 Plaintiffs,

18 v.

**STIPULATION AND ORDER
REGARDING SEALED DOCUMENTS**

19 ETREPPID TECHNOLOGIES, LLC, et al.,

20 Defendants.

21 Plaintiffs Dennis Montgomery, et al. ("the Montgomery Parties") and Liner Grode
22 Stein Yankelevitz Sunshine Regenstreif & Taylor LLP ("Liner Firm"), as counsel for the
23 Montgomery Parties and on behalf of the Liner Firm, enter into this Stipulation with
24 Interested Party Teri Pham and her counsel McDonald Carano Wilson LLP regarding the
25 receipt, use and distribution of documents sealed pursuant to the Court's Order dated
26 July 11, 2008 (Doc. #746) as follows:

27 A. Whereas, on March 31, 2009, this Court issued its Order re Motion for
28 Sanctions (Doc. #985), which included an order of certain sanctions against Teri Pham.

B. Teri Pham has retained the law firm of McDonald Carano Wilson LLP to
represent her with regard to the Court's Order (Doc. #985).

1 C. In order to properly prepare objections on behalf of Teri Pham to the
2 Court's March 31, 2009 Order, Ms. Pham's counsel must have access to certain
3 motions, briefs and documents that are subject to the Court's order sealing certain
4 portions of the file. (Doc. #746).

5 WHEREFORE, the parties stipulate and agree as follows:

6 1. The Liner Firm will provide copies of selected documents sealed pursuant
7 to the Court's Order (Doc. #746), which are reasonably necessary for Ms. Pham's
8 counsel to prepare an objection to the Court's March 31, 2009 Order in this Action.

9 2. Ms. Pham and her counsel agree to treat as "Confidential" the sealed
10 documents received from the Liner Firm.

11 3. As used in this Stipulation, "this Action" means the above-captioned civil
12 action pending in this Court, including any related discovery, pretrial, trial, post-trial or
13 appellate proceedings.

14 4. Pursuant to this Stipulation, documents deemed to be "Confidential" shall
15 be used solely for purposes of this Action and shall not be used for any purpose
16 including, without limitation, any other legal proceeding. Except as expressly provided
17 for herein, Ms. Pham or her counsel shall not disclose any Confidential documents to
18 any individual other than (i) the Court; (ii) counsel for Ms. Pham and associated
19 personnel of the McDonald Carano Wilson law firm working on this matter; (iii)
20 consultants, experts or litigation support services retained by Ms. Pham or her counsel,
21 including outside copying services retained for the purpose of assisting Ms. Pham or
22 her counsel; (iv) authors or recipients of documents designed as Confidential.
23 Confidential documents shall not be disclosed to any other person or entity without
24 further order of the Court.

25 5. In the event that Ms. Pham or her counsel deems it necessary to file any
26 Confidential document with the Court in this Action, such Confidential document(s) shall
27 be filed under seal.
28

1 6. This stipulation does not affect any other orders of this Court concerning
2 sealed documents.

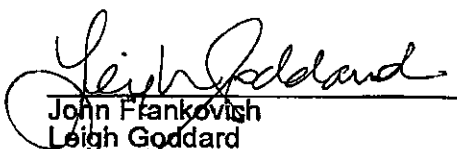
3 7. Any electronically stored information or documents containing Confidential
4 material shall be treated as Confidential through and following the termination of all
5 proceedings in this Action.

6 8. All persons governed by this Stipulation, by reviewing Confidential
7 documents, shall agree to the jurisdiction of this Court over their person for the purpose
8 of any action seeking to enforce the terms and conditions of this Stipulation.
9

10 Date: _____

Date: 4/23/09

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12
13 Eilyn S. Garofalo,
14 Liner Grode Stein Yankelevitz
15 Sunshine Regenstreif & Taylor, LLP
16 As Attorney for the Plaintiffs and On
17 Behalf of the Liner Firm

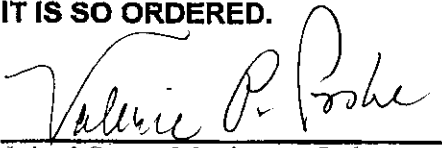

18 John Frankovich
19 Leigh Goddard
20 Debbie Leonard
21 McDonald Carano Wilson LLP

22 Date: _____

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25 Teri Pham
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Date: April 28, 2009

IT IS SO ORDERED.


United States Magistrate Judge

McDONALD-CARANO-WILSON
100 WEST LIBERTY STREET, 10TH FLOOR • RENO, NEVADA 89501
P.O. BOX 2670 • RENO, NEVADA 89505-2670
PHONE 775-786-2000 • FAX 775-786-2020

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5 proceedings in this Action.

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7 documents, shall agree to the jurisdiction of this Court over their person for the purpose
8 of any action seeking to enforce the terms and conditions of this Stipulation.

9
10 Date: 4.23.09

Date: _____

11
12 _____
13 Ellyn S. Garofalo,
14 Liner Grode Stein Yankelevitz
15 Sunshine Regenstreif & Taylor, LLP
16 As Attorney for the Plaintiffs and On
17 Behalf of the Liner Firm

John Frankovich
Leigh Goddard
Debbie Leonard
McDonald Carano Wilson LLP

18
19 Date: 4-23-09

20
21 _____
22 Teri Pham

Date: _____

IT IS SO ORDERED.

United States District Judge